

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

| | |
|----------------------|--------------|
| Application Number | 09/475,686 |
| Filing Date | 12/30/1999 |
| First named inventor | Bhusan Gupta |
| Examiner Name | Van T. Trieu |
| Art Unit | 2632 |

Total number of pages in this submission **5** Attorney Docket No. **99-B-156**

ENCLOSURES (Check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> PTO-2038 Credit Card Payment Form <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawings <input type="checkbox"/> License-related Papers <input checked="" type="checkbox"/> Petition - Revival of an Unavoidably Abandoned Application <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of disks <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks: | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | |
|------------|-------------------|---|
| Signature: | | Telephone: 650-941-4470 |
| Name: | Jonathan A. Small | Registration no. 32, 631 Date: June 7, 2006 |

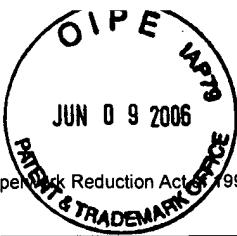
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | |
|------------|-------------------|---|
| Signature: | | Telephone: 650-941-4470 |
| Name: | Jonathan A. Small | Registration no. 32, 631 Date: June 7, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



JUN 09 2006

PTO/SB/61 (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional):

99-B-156

First Named Inventor: Bhusan Gupta

Art Unit: 2632

Application Number: 09/475,686

Examiner: Van T. Trieu

Filed: 12/30/99

Title: Command Interface Using Fingerprint Sensor Input System

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned based on an assertion by the United States Patent and Trademark Office that a timely and proper reply to a notice or action was not filed. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee Small entity – fee \$ 250.00 (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity – fee \$ _____ (37 CFR 1.17(l)).**2. Reply and/or fee****A. The reply to the above-noted Office action in the form of an Amendment** has previously been filed, and extension fees therefor paid, on 12/4/2002 (a copy of which is attached hereto). is enclosed herewith.**B The issue fee of \$** has been filed previously on _____ is enclosed herewith.

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/12/2006 NABDELR1 00000003 09475686
01 FC:2452

JUN 09 2006

PTO/SB/61 (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a) - continued**

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Date

Jonathan A. Small
JAS IP Consulting
343 2nd Street, Suite F
Los Altos, CA 94022

Reg. No. 32, 631

650-941-4470
admin@jasipc.com

Enclosure: Fee Payment

Reply (copy of prior submission)

Additional sheets containing statements establishing unavoidable delay

Copies of previously submitted: Petition for Extension of Time (3 mo.); Petition to Revive; Revocation and New Power of Attorney

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Signature

By: Jonathan A. Small
Reg. No. 32,631

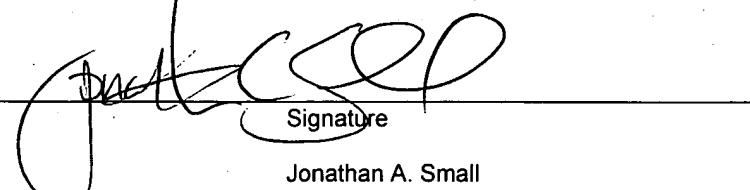
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a) - continued**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

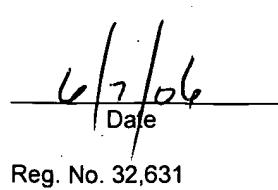
The undersigned recently assumed responsibility for this application pursuant to a Revocation and New Power of Attorney filed on May 3, 2006. The following represents those facts which the undersigned has been able to establish, or as the undersigned believes to be true on information and belief.

- 1) The undersigned assumed responsibility for this case from a predecessor law firm with which the undersigned had no prior dealing.
- 2) Upon assuming responsibility, the undersigned was provided with the file for this case. The undersigned promptly reviewed said file and determined that it was incomplete or that certain of the correspondence contained therein were never received or processed by the US PTO, and that accordingly it was not possible from the contents of the file to determine the status of the application.
- 3) Following submission of the above Revocation and New Power of Attorney, applicant regularly checked Private PAIR for access to the files for this case so that its status could be determined. As of June 6, 2006, the undersigned did not have access to the file in Private PAIR. The undersigned determined on 6/6/06, by telephone call with the US PTO's Inventor's Assistance Center, that the instant application is currently abandoned.
- 4) A first Office Action was mailed in this case on June 4, 2002. Applicant mailed a reply to said Office Action, with a certificate of First Class Mailing, on December 4, 2002. Included with Applicant's reply was a petition for three month extension of time to respond, and a check in the amount of \$920.00 as fees therefor. OIPE date-stamped the return postcard on December 9, 2002. On information and belief, the check representing the fees for the extension of time was cashed and the funds deducted from Applicant's representative's account. Thus, the December 4, 2002 reply was timely filed.
- 5) On December 2, 2002, two days before the expiration of the six month period for response, the US PTO mailed a Notice of Abandonment of this case. Thus, the mailing of the Notice of Abandonment was 2 days premature. Given that a reply was timely filed, the mailing of a Notice of Abandonment was improper.
- 6) Based on the facts in paragraphs 5 and 6 above, on January 15, 2003, Applicant filed a Petition asking the US PTO to indicate that the file did not, at any time, actually become abandoned, and in the alternative to revive the present application. No reply has yet been received by Applicant to the filing of said Petition, nor has applicant received the return postcard filed with said Petition.
- 7) Based on the above facts, abandonment of the present application was occasioned by the premature mailing of a Notice of Abandonment, at no fault of Applicant. Applicant asserts that it has taken all reasonable actions to rescind the abandonment, or in the alternative revive the present application. Accordingly, Applicant asserts that the abandonment of the present application was, from its perspective, unavoidable.
- 8) The December 4, 2002, reply is intended hereby to constitute the "previously filed" reply to the Office Action of June 4, 2002, as required by 37 C.F.R. 1.137. However, the undersigned has no authority to submit, *ab initio*, a reply under the signature of the attorney signing the December 4, 2002, reply. Nor is the undersigned the signor of the certificate of mailing on the December 4, 2002, reply. If a new reply to the June 4, 2002, Office Action is required, the undersigned can file same, under his own signature and in compliance with current rules therefor.
- 9) All documents and fees required for this Petition are submitted herewith.
- 10) Copies of documents referenced above are attached hereto.



Signature

Jonathan A. Small
JAS IP Consulting
343 2nd Street, Suite F
Los Altos, CA 94022



Date

Reg. No. 32,631
(650) 941-4470
admin@jasipc.com



Response to Last Office Action

**Petition for 3 Month Extension to
Respond**

Fee Transmittal

Stamped Return Postcard

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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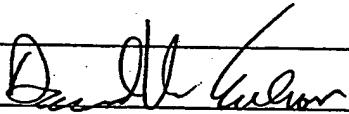
**TRANSMISSION
FORM**
 JUN 09 2006
(To be used for all correspondence
after initial filing)

| | |
|----------------------|-----------------------|
| Application Number | 09/475,686 |
| Filing Date | December 30, 1999 |
| First Named Inventor | Bhusan Gupta |
| Group Art Unit | 2632 |
| Examiner Name | Van T. Trieu |
| Attorney Docket No. | 99-B-156 (850063.571) |

ENCLOSURES (check all that apply)

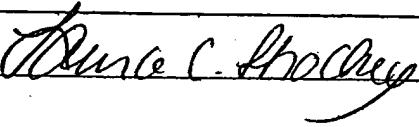
| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): <hr/> <hr/> <hr/> |
|---|---|--|

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

| | | |
|-----------------|---|---|
| Individual Name | David V. Carlson |  30423 PATENT TRADEMARK OFFICE |
| Signature |  | |
| Date | December 4, 2002 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

| | | |
|-----------------------|---|------------------------|
| Typed or printed name | Laura C. Shockley | |
| Signature |  | Date: December 4, 2002 |

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

1,406 TRADEMARKS

JUN 09 2006

| Complete if Known | |
|----------------------|-----------------------|
| Application Number | 09/475,686 |
| Filing Date | December 30, 1999 |
| First Named Inventor | Bhusan Gupta |
| Examiner Name | Van T. Trieu |
| Group Art Unit | 2632 |
| Attorney Docket No. | 99-B-156 (850063.571) |

METHOD OF PAYMENT

Payment Enclosed:

Check Credit card Money Order Other

Deposit Account

Deposit Account Number

19-1090

Deposit Account Name

Seed Intellectual Property Law Group PLLC

The Commissioner is authorized to (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee
- Charge any deficiencies

to the above-identified deposit account.

Applicant claims small entity status. See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------------|----------|----------------|----------|------------------------|----------|
| 1001 | 740 | 2001 | 370 | | | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | | | Design filing fee | |
| 1003 | 510 | 2003 | 255 | | | Plant filing fee | |
| 1004 | 740 | 2004 | 370 | | | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | | | Provisional filing fee | |
| | | SUBTOTAL (1) | | (\\$) 0 | | | |

2. EXTRA CLAIM FEES

| Total Claims | 35 | -27** = | 8 | * | 18 | = | 144 | Extra Claims | Fee from below | Fee Paid |
|--------------------|----|---------|---|---|----|---|-----|--------------|----------------|----------|
| Independent Claims | 7 | -3** = | 4 | * | 84 | = | 336 | | | |
| Multiple Dependent | | | | * | | = | | | | |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | |
|--------------|--------------|---------------------|----------|------------------|----------|--|--|
| 1202 | 18 | 2202 | 9 | | | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | | | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | | | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | | | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | | | ** Reissue claims in excess of 20 and over original patent | |
| | | SUBTOTAL (2) | | (\\$) 480 | | | |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---------------------------|--------------|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | | | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | | | Non-English specification | |
| 1812 | 2520 | 1812 | 2520 | | | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1840* | 1805 | 1840* | | | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | | | Extension for reply within first month | |
| 1252 | 400 | 2252 | 200 | | | Extension for reply within second month | |
| 1253 | 920 | 2253 | 460 | | | Extension for reply within third month | |
| 1254 | 1440 | 2254 | 720 | | | Extension for reply within fourth month | 920 |
| 1255 | 1960 | 2255 | 980 | | | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | | | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | | | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | | | Request for oral hearing | |
| 1451 | 1510 | 1451 | 1510 | | | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | | | Petition to revive - unavoidable | |
| 1453 | 1280 | 1453 | 640 | | | Petition to revive - unintentional | |
| 1501 | 1280 | 2501 | 640 | | | Utility issue fee (or reissue) | |
| 1502 | 460 | 2502 | 230 | | | Design issue fee | |
| 1503 | 620 | 2503 | 310 | | | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | | | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | | | Processing fee for provisional applications | |
| 1806 | 180 | 1806 | 180 | | | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 | 740 | 2809 | 370 | | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 740 | 2810 | 370 | | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 740 | 2801 | 370 | | | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | | | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | | | |

*Reduced by Basic Filing Fee Paid

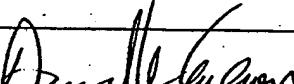
SUBTOTAL (3) (\$ 920)



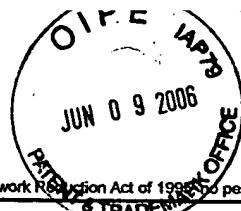
30423

PATENT TRADEMARK OFFICE

SUBMITTED BY

| | | | |
|-------------------|---|---------------------------------|--------|
| Name (Print/Type) | David V. Carlson | Registration No. Attorney/Agent | 31,153 |
| Firm Name/Address | | | |
| Signature |  | | |
| Date | December 4, 2002 | | |

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| | | |
|---|---|--|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) | | Docket Number 99-B-156 (850063.571) |
| | In re Application of Bhusan Gupta et al. | |
| | Application Number 09/475,686 | Filed December 30, 1999 |
| | For COMMAND INTERFACE USING FINGERPRINT SENSOR INPUT SYSTEM | |
| | Group Art Unit 2632 | Examiner Van T. Trieu |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a Reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

| | | |
|-------------------------------------|----------------------------------|----------|
| <input type="checkbox"/> | One month (37 CFR 1.17(a)(1)) | \$ _____ |
| <input type="checkbox"/> | Two months (37 CFR 1.17(a)(2)) | \$ _____ |
| <input checked="" type="checkbox"/> | Three months (37 CFR 1.17(a)(3)) | \$920 |
| <input type="checkbox"/> | Four months (37 CFR 1.17(a)(4)) | \$ _____ |
| <input type="checkbox"/> | Five months (37 CFR 1.17(a)(5)) | \$ _____ |

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account Number 19-1090.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account Number 19-1090.

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

attorney or agent of record.

attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 4, 2002

Date


Signature

David V. Carlson

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

339439 [04-18-01]



PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231.

December 4, 2002

Date


Laura C. Shockey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bhusan Gupta et al.
Application No. : 09/475,686
Filed : December 30, 1999
For : COMMAND INTERFACE USING FINGERPRINT
SENSOR INPUT SYSTEM

Examiner : Van T. Trieu
Art Unit : 2632
Docket No. : 99-B-156 (850063.571)
Date : December 3, 2002

Commissioner for Patents
Washington, DC 20231

AMENDMENT

Commissioner for Patents:

In response to the Office Action dated June 4, 2002, please extend the period of time for response three (3) months, to expire on December 4, 2002. Enclosed are a Petition for an Extension of Time and the requisite fee. Please amend the application as follows:

In the Claims:

Please amend claims 1, 2, 4, 11-17, 20 and 22 to read as follows:

1. (Amended) An apparatus comprising:
a substrate;
a plurality of position sensing devices located on the substrate for detecting the presence of an object;

a plurality of groups of the position sensing devices, each group being composed of a plurality of sensing devices and each group being electronically segmented and each group being located at a selected, respective position on the substrate;

an electronic logic circuit coupled to each of the groups for sensing whether a human appendage has been placed adjacent the respective group.

2. (Amended) The apparatus according to claim 1 wherein the plurality of groups includes at least 3 groups.

4. (Amended) The apparatus according to claim 2 wherein the groups are positioned with a first group surrounding a second group and the second group surrounding a third group.

11. (Amended) The apparatus according to claim 10, further including:
a fingerprint identification circuit coupled to the semiconductor substrate for sensing the identity of the a fingerprint placed thereon.

12. (Amended) The apparatus according to claim 11 wherein the fingerprint identification circuit includes:

a memory for storing a plurality of reference fingerprint patterns;
a comparison circuit for comparing a pattern of a fingerprint placed on the substrate with a reference fingerprint pattern stored in the memory; and
an output circuit that outputs a signal indicating a match between an input fingerprint pattern and the reference fingerprint pattern stored in the memory.

13. (Amended) The apparatus according to claim 12, further including an enable circuit coupled to the output circuit for enabling the transmitter to transmit selected commands only after a fingerprint input pattern has matched a reference fingerprint pattern.

14. (Amended) The apparatus according to claim 10, further including:
an automobile;
a receiver circuit coupled to the automobile for receiving input from the transmitter.

15. (Amended) A method of sensing input from a finger of a user comprising:
sensing a first touch location on a substrate at a first time;
sensing a second touch location spaced from the first touch location on the substrate at a second time, after the first time;
comparing an input location sequence of the first and second touch locations to a set of reference location sequences stored in a memory;
outputting a signal indicating a match between the input location sequence and the reference location sequence;
performing a pre-programmed function based the signal of the match.

16. (Amended) The method according to claim 15, further including:
receiving a sample fingerprint pattern on the substrate;
comparing the sample fingerprint pattern to a plurality of stored reference fingerprint patterns;
outputting a signal indicating a match between the sample fingerprint pattern and the stored reference fingerprint pattern; and
performing the pre-programmed function only after the match has been found between the sample fingerprint pattern and the reference fingerprint pattern.

17. (Amended) The method according to claim 15, further including:
receiving a sample fingerprint pattern on the substrate;
comparing the sample fingerprint pattern to a plurality of stored reference fingerprint patterns;
outputting a signal indicating whether or not there is a match between the sample fingerprint pattern and the stored reference fingerprint pattern; and

permitting the performing of selected pre-programmed functions before the match has been found between the sample fingerprint pattern and the reference fingerprint pattern.

20. (Amended) The method according to claim 19 wherein the function of locking the doors is permitted to be performed before the match is found.

22. (Amended) The method according to claim 15, further including:
sensing if a first touch occurred in a bottom portion of the substrate; and
sensing if a last touch occurred in a top portion of the substrate.

Please add new claims 24-31 to read as follows:

24. A method comprising:
receiving a fingerprint pattern at a substrate;
sensing the fingerprint pattern with a plurality of sensor cells;
comparing the sensed fingerprint pattern to plurality of stored patterns to determine if there is a match between the received fingerprint pattern and a stored fingerprint pattern;

receiving a command input to the same substrate after the fingerprint pattern has been received;

sensing the command input with at least some of the same sensor cells used to sense the fingerprint pattern; and

sending a signal to carry out the command input only if the previously received fingerprint pattern is a match with a stored fingerprint pattern.

25. The method according to claim 24 in which a first command signal is output if the received command is in a first location on the substrate and a second command signal is output if the received command is in a second location on the substrate.

26. A method of performing user identification and receiving command inputs of a plurality of commands using the same substrate comprising:

placing sensors on a substrate in a first mode of operation for recognition of a fingerprint pattern;

receiving a fingerprint pattern on the substrate;

comparing the fingerprint pattern to a plurality of stored patterns to determine if there is match with a stored pattern;

switching to a second mode of operation if there is match to a stored fingerprint pattern to permit a user to input commands using the same substrate; and

receiving a plurality of commands to carry out a plurality of respective functions using the same sensors on the same substrate as used for the fingerprint pattern recognition.

27. The method according to claim 26 in which the first mode of operation is a recognition mode and the second mode of operation is a command input mode.

28. An apparatus comprising:

a substrate having a plurality sensor elements thereon;

means for configuring the sensor elements to output a signal representative a fingerprint pattern;

means for recognizing whether the fingerprint pattern matches a stored fingerprint pattern;

means for outputting a recognition signal if an input fingerprint pattern matches a stored pattern;

means for receiving a plurality of command inputs at the same substrate after the change mode signal has been output, the command inputs being received using the same sensor elements that were used to perform the fingerprint recognition; and

means for sending out a command signal to carry out a received command the sending means being operational only after an input fingerprint patter has been found to match a stored fingerprint pattern.

29. The apparatus according to claim 28 further including:
means for receiving a first selected group of commands prior to the recognition signal being output.

30. The apparatus according to claim 29 in which the lock command is within the first selected group.

31. An apparatus for remotely controlling automobile functions comprising:
a housing;
a semiconductor substrate coupled to and supported by the housing;
a plurality of position sensing devices positioned within the semiconductor, the position sensing devices being organizable into a plurality of segmented groups; and
a fingerprint recognition circuit coupled to the semiconductor substrate to recognize the pattern of a fingerprint on the position sensing devices and output a signal indicating a match;
a command receiving circuit coupled to each group to sense whether a human appendage is adjacent the group.

REMARKS

Claims 1-23 are presented for further examination. Claims 1, 2, 4, 11-17, 20 and 22 have been amended.

In the Office Action mailed June 4, 2002, claim 1-4, 6-20, 22 and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,577,345 ("Abramov"). Claim 5 was rejected as obvious over Abramov in view of U.S. Patent No. 5,963,679 ("Setlak"). [Page 4, Paragraph 2 of the Office Action states that claim 3 was the one rejected over Abramov in view of Setlak, however, it is clear from the Examiner's remarks that claim 5 was intended and the reference to claim 3 is believed to be a typing error. If it is not a typing error, then claim 5 was never rejected and even though this is indicated on the first page. Thus, this reply will address the Office Action as if claim 5 were intended; but as will be pointed

out herein, it is believed that claim 5 is allowable in light of the art.] Claim 21 was rejected as obvious over Abramov.

Applicants respectfully disagree with the bases for the rejections and request reconsideration and further examination of the claims.

The disclosed and claimed embodiments of the present invention are directed to a sensing apparatus and the method thereof for sensing the position of human appendage at specific locations on a substrate. The sensing devices are electrically connected and organized into groups positioned at selected locations on the sensor. Unlike the general fingerprint sensor such as that disclosed in Abramov, the present invention is made by a plurality of groups of the position sensing devices.

Abramov is directed to a method and apparatus for sensing the pattern of an individual's finger. He does not teach that the sensor can be used to input a plurality of different commands. Abramov discloses only fingerprint recognition for transforming the fingerprint pattern of ridges and valleys of an individual into corresponding binary electrical output signals. The sensor of Abramov, as shown in his Figure 4, has an IC chip having an array of sensing circuits 14 arranged thereon in rows and columns for defining X, Y coordinates. There is no description or indication that these are segmented into groups; they are not. Certainly, Abramov does not use his device to enter commands; it is for recognition only. The lock open or lock alarm results are from the same recognition sequence, not from a separate command.

Turning to the claims, claim 1 recites an apparatus that comprises a substrate, a plurality of position sensing devices, a plurality of groups of the position sensing devices, and an electronic logic circuit coupled to each of the groups. Claim 1 further recites that each group is electrically segmented and located at a selected, respective position on the substrate.

Specifically, claim 1 states that each group is composed of a plurality of position sensing devices and each group is functionally segmented and each group is located at a selected respective position on the substrate. Some examples of claim can be seen from viewing figures 2B-2E and understood from the text describing these figures. For example, figure 2B shows the segmenting of cells 2 into four different groups, an upper group 40, a lower group 42, a right side group 44 and a left side group 46. These groups are each composed of a plurality of sensing cells 2, the sensing cells being shown in figure 8. The groups are functionally segmented from

each other using appropriate software controls or electrical switching. Thus, a touch in the upper group 40 can be sensed as a distinct location from a touch in the lower group 42. Further, a touch in the group 46 can be sensed as a distinct different command from a touch in any one of the other groups 40, 42, or 44. According to principals of the present invention, the touching in the different segmented groups can be used to input commands after the fingerprint has been sensed. For example, a touch in position 42 followed by a touch in position 40 can input a command to lock the car. A touch of the sensors in group 46 followed by a touch in the group of sensors 44 can be used to turn on the lights. Other combination of commands in the different groups can perform other functions. For example, the appropriate sequence of commands based on the touch pattern can permit a user to turn on the radio, roll up the windows of a car, engage alarm systems, or perform other functions, many of which are explained on page 8, lines 10-23 of the application as filed.

Abramov has none of the features as claimed in claim 1. He does not teach that the sensors are segmented into various groups. Instead, all Abramov teaches is that if a fingerprint matches or fails to match a stored fingerprint, a signal is emitted to open or arm a lock. There is no suggestion that the input pad has been organized into a plurality groups of sensing devices, each group being functionally segmented from each other.

As discussed above, Abramov does not teach or suggest a plurality of groups of the position sensing devices. Applicants respectfully submit that claim 1 and all claims depending therefrom, claims 2-9, are allowable over Abramov.

Setlak has no relevance to the claim invention of claim 5. Setlak certainly does not show 3 segmented groups, one group inside another and another group inside this. Setlak merely shows one group, the entire way. While the Examiner may assert that Setlak's array is in a circle, this is not relevant to and does not teach having the array electronically segmented into groups, each group being circular.

Claim 10 is also directed to an apparatus for remotely controlling automobile functions comprises that a housing, a semiconductor substrate, a power source, a transmitter, a plurality of position sensing devices, and a circuit coupled to each group. Claim 10 further recites that the position sensing devices is organized into a plurality of segmented groups.

Abramov does not teach or suggest a plurality of segmented groups of the position sensing devices.

Claim 10 is believed patentable as originally submitted. Abramov completely fails to teach or suggest a number of features directly specified in claim 10. Specifically, claim 10 specifies a housing and a semiconductor substrate within the housing. Within the same housing, claim 10 specifies that a power source is provided and in addition, a transmitter is within the same housing. Abramov completely fails to suggest a power source within the housing and a transmitter within the same housing as the power source and the semiconductor substrate. This permits the invention of claim 10 to be portable. Namely, as shown in figure 1 of the present application, a user may carry the apparatus around in their pocket and then remotely controlled an automobile function. Since the power source is within the same housing, which also has the semiconductor substrate in the transmitter once the command input has been received by the position sensing devices, the power source to control the circuit is within the same housing and the transmitter to transmit the information to a remote location is also within the same housing.

Abramov, on the other hand, does not disclose his power source with respect to the fingerprint sensing circuit. Certainly, he does not disclose or even discuss that a power supply source is within the same housing. Instead, he shows in figures 9 and 10 that his input device has a wire connection to another device, such as a TV display or a computer. Since he does not discuss the source of power, it is not possible that he teaches that the power source is within the same housing. Most likely, the power is line power, or a cable provided so that his device is not portable as is possible with the present invention. Thus, having the power source within the same housing is a significant advantage which cannot be obtained in the prior art.

Claim 11 contains the additional element that a fingerprint identification circuit is part of the same apparatus and is coupled to the same semiconductor substrate which contains the position sensing devices. Since Abramov teaches only a fingerprint sensing circuit and does not teach a plurality of position sensing devices segmented into separate groups, claim 11 is also patentable in light of the art.

Claim 13 contains patentable subject matter beyond the patentability of claims 11 and 10. Claim 13 specifies that there is an enable circuit, which enables commands to be output

by the transmitter only after a fingerprint is recognized. Certainly, Abramov does not teach the output of many commands, but merely an indication of whether a match occurred or not.

Claim 15 is directed to a method of sensing input from a finger of a user comprises that sensing a first touch location, sensing a second touch location, comparing an input location sequence of the first and second touch locations to a set of reference location sequences stored in a memory, outputting a signal indicating a match, and performing a pre-programmed function. Abramov does not teach or suggest comparing an input location sequence of the first and second touch locations to a set of reference location sequences. Applicants respectfully submit that claim 15 is allowable for the reasons why claim 1 is allowable, and all claims depending therefrom, claims 16-23, are allowable over Abramov.

One aspect of the present invention can be seen from original claim 17. As specified in claim 17, a sample fingerprint pattern is received on the substrate. The fingerprint pattern is then compared to a plurality of stored reference patterns. A signal is output indicating if there is a match between the input pattern and a stored pattern. If there is such a match, then the user is permitted to input commands using the same substrate. This two function operation of the same substrate is novel and unobvious in light of the prior art.

As explained in more detail on pages 8 and 9, one of the distinct advantages of the present invention is that it can be used for both fingerprint pattern recognition and also input in a plurality of different commands. See for example page 6, lines 5-22; page 8, lines 24-29; and page 9, lines 27 to the top of the paragraph at page 10.

Once a user is recognized as an authorized user, the very same set of sensors are then used to receive different commands, as now specified in claim 17 and also in new submitted claims 24-30. One feature of the present invention as specified in claim 17 and the new claims is that the apparatus can be operated in two modes, a first mode which is a fingerprint recognition mode and a second mode which is a command input mode. None of the prior art cited even suggests or discloses these two potential modes of operation. As specified in claims 19 and 20, some of the commands can be carried out independent from the recognition while other of the commands can only be carried out once the recognition has been confirmed. Accordingly, it is believed that these features are patentable in light of the prior art as originally claimed. Claim 24

makes clear that the same sensor cells used to perform the fingerprint pattern recognition are also used to receive the command input.

Minor typographical changes have been made to claims 11-14 and 16-22 to make the claims more readable, but do not affect the scope of the claimed subject matter.

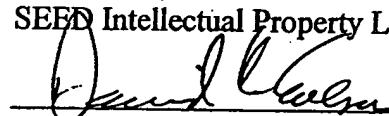
Claims 26 specifies that the sensor is placed in a first mode of operation for recognizing a fingerprint pattern and, once the fingerprint pattern is matched with a stored pattern then the device switches to a second mode of operation for receiving command inputs. These command inputs are provided to the same sensors, on the same substrate as we use for the fingerprint recognition. The command inputs may be such things as turn on the lights, lock the doors, unlock the doors, select a radio station or other particular inputs.

Claim 28 is an apparatus claim specifying the respective means for the sensor elements received in a fingerprint pattern and, once a fingerprint pattern has been recognized the same sensor elements including means for receiving command inputs.

In view of the foregoing, Applicants respectfully submit that all of the claims remaining in this application are now in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact Applicants' undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

Respectfully submitted,
Bhusan Gupta et al.
SEED Intellectual Property Law Group PLLC



David V. Carlson
Registration No. 31,153

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Phone: (206) 622-4900 / Fax: (206) 682-6031

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1, 2, 4, 11-17, 20 and 22 have been amended as follows:

1. (Amended) A An apparatus comprising:
a substrate;
a plurality of position sensing devices located on the substrate for detecting the presence of an object;
a plurality of groups of the position sensing devices, each group being composed of a plurality of sensing devices and each group being electronically segmented and each group being located at a selected, respective position on the substrate;
an electronic logic circuit coupled to each of the groups for sensing whether a human appendage has been placed adjacent the respective group.
2. (Amended) The apparatus according to claim 1 wherein there the plurality of groups includes at least 3 groups.
4. (Amended) The apparatus according to claim 2 wherein the groups and are positioned with a first group surrounding a second group and the second group surrounding a third group.
11. (Amended) The apparatus according to claim 10, further including:
a ~~finger print~~ fingerprint identification circuit coupled to the semiconductor substrate for sensing the identity of the a fingerprint placed thereon.
12. (Amended) The apparatus according to claim 11 wherein the fingerprint sensor circuit includes:
a memory for storing a plurality of reference fingerprint sensor patterns;

a comparison circuit for comparing a pattern of a fingerprint placed on the substrate with a reference fingerprint pattern stored in the memory; and

an output circuit that outputs an indication of a signal indicating a match between an input fingerprint pattern and a the reference fingerprint pattern stored in the memory.

13. (Amended) The apparatus according to claim 12, further including an enable circuit coupled to the output circuit for enabling the transmitter to transmit selected commands only after a fingerprint input pattern has matched a reference fingerprint pattern.

14. (Amended) The apparatus according to claim 10, further including:
an automobile;
a receiver circuit coupled to the automobile for receiving input from the transmitter.

15. (Amended) A method of sensing input from a finger of a user comprising:
sensing a first touch location on a substrate at a first time;
sensing a second touch location spaced from the first touch location on a the substrate at a second time, after the first time;
comparing the an input location sequence of the first and second touch locations to a set of reference location sequences stored in a memory;
outputting the identity of a signal indicating a match between the input location sequence and the reference location sequence;
performing a pre-programmed function based the identity of the match.

16. (Amended) The method according to claim 15, further including:
receiving a sample fingerprint pattern on the substrate;
comparing the sample fingerprint pattern to a plurality of stored reference fingerprint patterns;
outputting a signal indicating a match between the sample input pattern and a the stored reference fingerprint pattern; and

performing the pre-programmed function only after a the match has been found between the input sample fingerprint pattern and a reference fingerprint pattern.

17. (Amended) The method according to claim 15, further including:
receiving a sample fingerprint pattern on the substrate;
comparing the sample fingerprint pattern to a plurality of stored reference fingerprint patterns;

outputting a signal indicating whether or not there is a match between the sample input fingerprint pattern and a the stored fingerprint pattern; and

permitting the performing of selected pre-programmed functions before a match has been found between the input sample fingerprint pattern and a the reference fingerprint pattern.

20. (Amended) The method according to claim 19 wherein the function of locking the doors is permitted to be performed before a the match is found.

22. (Amended) The method according to claim 15, further including:
sensing if a first touch occurred in a bottom portion of the substrate; and
sending sensing if a last touch occurred in a top portion of the substrate.



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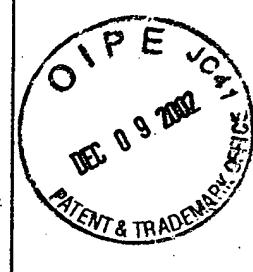
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SENT: December 4, 2002
DUE: December 4, 2002

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re: Bhusan Gupta et al., USAN 09/475,686, filed December 30, 1999, for
COMMAND INTERFACE USING FINGERPRINT SENSOR INPUT SYSTEM.

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Prior Petition to Revive

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PTO/SB/21 (08-00)

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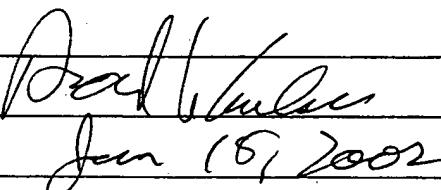
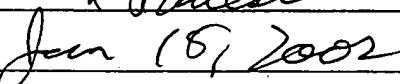
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|----------------------|-----------------------|
| Application Number | 09/475,686 |
| Filing Date | December 30, 1999 |
| First Named Inventor | Bhusan Gupta |
| Group Art Unit | 2632 |
| Examiner Name | Van T. Trieu |
| Attorney Docket No. | 99-B-156 (850063.571) |

ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Terminal Disclaimer | <u>Copy of Returned Postcard</u> |
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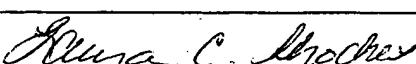
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Laura C. Shockey

Laura C. Shockey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bhusan Gupta et al.
Application No. : 09/475,686
Filed : December 30, 1999
For : COMMAND INTERFACE USING FINGERPRINT
SENSOR INPUT SYSTEM

Examiner : Van T. Trieu
Art Unit : 2632
Docket No. : 99-B-156 (850063.571)
Date : January 15, 2003

Attention: Office of Petitions
Commissioner for Patents
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Washington, DC 20231

PETITION TO REVIVE

Dear Sir:

Petition is hereby made to revive the application Serial No. 09/475,686 based on the Notice of Abandonment being improperly sent by the U.S. Patent and Trademark Office. It is believed that no fee is due because the error is believed based on the U.S. Patent and Trademark Office incorrectly sending the Notice of Abandonment.

A first Office Action was mailed in this case on June 4, 2002. Applicants mailed a timely reply to this Office Action on December 4, 2002, with a three-month extension of time. The response was therefore timely.

On December 2, two days short of the six-month date, a Notice of Abandonment was sent by the Patent Office. Since the time period for response had not yet terminated, the Notice of Abandonment was sent prematurely and should not have been sent. In addition, applicants timely responded. Applicants therefore petition the U.S. Patent and Trademark Office

to indicate that the file did not at any time go abandoned. Further, in the event the application is determined to have gone abandoned, applicants request that the application be revived.

Reply was properly filed, enclosed herewith is a copy of the Amendment as filed, with the certificate of mailing. It can be seen that the certificate of mailing is signed by Laura Shockey and bares a date of December 4, 2002. This is thus evidence that the Amendment was timely filed and submitted on December 4, 2002.

As second evidence that the Amendment was timely filed, enclosed is a photocopy of the return postcard. This postcard has the serial number of the present application typed thereon, together with a statement that is enclosed with a copy of the Amendment, which corresponds to the Amendment, which is enclosed herewith. This return receipt postcard bares the stamp of the United States Patent Office as having been received on December 9, 2002. It thus appears that there was approximately five (5) days transit time. While this is longer than would be expected of the U.S. Postal Service, this was between Thanksgiving and Christmas and therefore there were likely unusually large volumes of mail, which may have caused the U.S. Postal Service what appears to be two days slower than normal. However, it is clear that the response to the Office Action was timely filed by the enclosed two evidentiary documents. It is also clear that the Notice of Abandonment was mailed prior to the actual due date for the Reply.

Since the Notice of Abandonment was improperly sent and the application, in fact, did not ever go abandoned, it is believed that no fee is necessary for this petition and that no fee is necessary for the revival of the application. In the event the Patent Office determines that a fee is necessary, applicants request that the appropriate fees in order to accept this petition to revive the application be taken from applicants' Deposit Account No. 19-1090.

Respectfully submitted,

Bhusan Gupta et al.

SEED Intellectual Property Law Group PLLC



David V. Carlson
Registration No. 31,153

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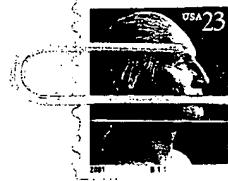
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SENSOR INPUT SYSTEM.

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| 09/475,686 | 12/30/1999 | BUSHAN GUPTA | 99-B-156-(85 | 6718 |

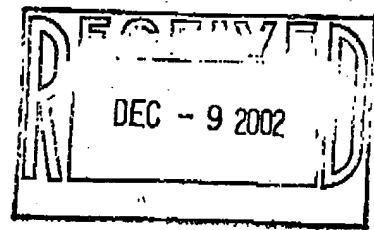
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| TRIEU, VAN THANH |

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|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2632 | |

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



| Notice of Abandonment | Application No. 09/475,686 Examiner Van T Trieu | Applicant(s) GUPTA ET AL. Art Unit 2632 |
|-----------------------|--|--|
|-----------------------|--|--|

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 04 June 2002.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:



VAN TRIEU
Primary Examiner
USPTO

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Revocation of Power of Attorney With New Power of Attorney and Change of Correspondence Address

JUN 09 2006

PTO/SB/82 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REVOCA^TION OF POWER OF ATTORNEY
WITH NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE
ADDRESS**

| | |
|----------------------|-------------------|
| Application Number | 09/475,686 |
| Filing Date | December 30, 1999 |
| First named inventor | Bushan Gupta |
| Art Unit | 2632 |
| Examiner | V. H. Trieu |
| Attorney Docket No. | 99-B-156 |

I hereby revoke all previous powers of attorney given in the above-identified application, and:

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioner(s) associated with Customer Number: **43785**

Please change the correspondence address for the above-identified application to:

The address associated with Customer Number: **43785**

OR

Firm or individual name

Address

City

State:

Zip:

Country

Telephone

Email:

I am (or authorized to act on behalf of) the:

Applicant/Inventor

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed

Signature of Applicant or Assignee of Record

Signature

Name

Philip Smith, V.P. Finance

Date

May 2, 2006

Telephone

510-420-2627

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JUN 09 2006

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: UPEK, Inc.

Application No./Patent No.: 09/475,686

Filed/Issue Date: December 30, 1999

Entitled: Command Interface Using Fingerprint Sensor Input System

UPEK, Inc., a Delaware Corporation, states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest

(The extent (by percentage) of its ownership interest is 100% in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

| | |
|--|-------------------------------|
| 1. From: Bhusan Gupta and Alan Kramer | To: ST Microelectronics, Inc. |
| The document was recorded in the United States Patent and Trademark Office at <u>Reel 010797, Frame 0142</u> . | |
| 2. From: ST Microelectronics, Inc. | To: UPEK, Inc. |

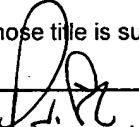
A true copy of the original assignment is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

| | | | |
|-----------|---|-----------|--------------|
| Signature |  | | |
| Name | Philip Smith, V.P. Finance | | |
| Date | May 2, 2006 | Telephone | 510-420-2627 |

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT ASSIGNMENT

WHEREAS, STMicroelectronics, Inc., a Delaware Corporation with its principal place of business located at 1310 Electronic Drive in Carrollton, Texas, and STMicroelectronics N.V. a company organized under the laws of Netherlands (collectively "ST"), own all legal and equitable right, title in the U.S. Patents listed in Annex 1 hereto ("Patents").

WHEREAS, Upik, Inc., a Delaware corporation with its principal place of business located at 2001 Center Street, Suite 500, Berkeley, California 94704 ("Upik"), is desirous of acquiring ST's entire right, title and interest in and to said patents, including the right to sue and recover damages for past and future infringement thereof.

NOW THEREFORE, be it known by all whom it may concern that for and in consideration of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and other good and valuable consideration, ST hereby assigns to Upik all legal and equitable right, title and interest in and to the Patents, including any right to sue and recover damages for past and future infringement of the Patents.

ST further agrees that, should additional or further documentation of assignment be required for whatever reason, ST will, without further consideration, provide or execute such other information or documents as may be necessary upon Upik's reasonable request.

IN TESTIMONY WHEREOF, ST executes this assignment on the date set forth below.

STMicroelectronics, Inc.

By:

Name: Lisa Jorgenson

Title: VP of Intellectual Property
and Licensing.

Date: March 4, 2004

STMicroelectronics N.V.

By:

Name: A. Dutheil

Title: Corporate Vice-President, Strategic Planning
and Human Resources.

Date: March 4, 2004

PATENT ASSIGNMENT

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STMicroelectronics, Inc

STMicroelectronics N.V.

By:

Name: Lisa Jorgenson

Name: A. Dutheil

Title: VP of Intellectual Property
and Licensing.

Title: Corporate Vice-President, Strategic Planning
and Human Resources.

Date: March 4, 2004

Date: March 4, 2004

Annex 1

US Patent Application 09/169894; PCT US 99/23479 (from Veridicom)

| Case Nr | U.S. Pat. No. | Status | Title | Pending Foreign Counterparts |
|--------------|---------------|-----------|--|------------------------------|
| 97-B-036C1 | 6,011,859 | Issued | Solid state fingerprint sensor packaging apparatus & method | EP 98305195.4 JP 10-187248 |
| 97-B-037C2 | 6,483,331 | Issued | Electrostatic discharge protection of a capacitive type fingerprint sensing array | EP 98307340.0 JP 10-258382 |
| 97-B-039C1 | 6,332,636 | Issued | Touchpad providing screen cursor/point movement control | EP 99300408.4 JP 11-14178 |
| 97-B-072C1 | 6,317,508 | Issued | Scanning capacitive semiconductor fingerprint detector | EP 99300181.7 JP 11-5762 |
| 97-B-072C2 | 6,580,816 | Issued | Scanning capacitive semiconductor fingerprint detector | |
| 97-B-073 | 6,408,087 | Issued | Capacitive semiconductor user input device | EP 99300188.2 JP 11-5736 |
| 97-C-166C1 | 6,026,773 | Issued | Packaging for silicon sensors | |
| 98-B-085C1 | 6,346,739 | Issued | Static charge dissipation pads for sensors | EP 99310533.7 JP 11-356918 |
| 98-B-82/86C1 | 6,440,814 | Issued | Electrostatic discharge protection for sensors | EP 99310545.1 JP 11-360932 |
| 98-B-82/86D1 | 6,555,888 | Issued | Electrostatic discharge protection for sensors | |
| 99-B-152 | 6,501,284 | Issued | Capacitive finger detection for fingerprint sensor | EP 01306972.9 JP 2001-257286 |
| 00-B-021 | 6,512,381 | Issued | Enhanced fingerprint detection system | EP 01310104.3 JP 2001-396321 |
| 00-B-120 | 6,537,289 | Issued | Fingerprint sensor power management detection of overcurrent | EP 02254952.1 JP 2002-223040 |
| 01-C-012 | 6,515,488 | Issued | Fingerprint detector with scratch resistant surface & embedded ESD protection grid | EP 02253138.8 JP 2002-131644 |
| Case Nr | Appl. No. | Status | Title | Pending Foreign Counterparts |
| 99-B-153 | 09/475,351 | Abandoned | Enhanced fingerprint detection | |
| 97-B-037C3 | 10/253,841 | Pending | Electrostatic discharge protection of a capacitive type fingerprint sensing array | |
| 98-B-085D1 | 10/040,861 | Pending | Static charge dissipation pads for sensors | |
| 99-B-153 | 09/643,808 | Pending | Resistive finger detection for fingerprint sensor | EP 01306973.7 JP 2001-257340 |
| 99-B-156 | 09/475,586 | Pending | Command interface using fingerprint sensor input system | EP 00311522.7 JP 2000-338759 |
| 99-B-157 | 09/658,540 | Pending | Automatic latchup recovery circuit for fingerprint sensor | |
| 99-B-153 | 09/542,440 | Pending | Method of and system for compensating for injection gradient in a capacitive sensing circuit array | EP 01303113.0 JP 2001-105676 |
| 99-B-160 | 09/537,659 | Pending | Narrow array capacitive fingerprint imager | EP 01302071.4 JP 2001-91575 |
| 01-B-088 | 10/052,863 | Pending | Capacitive pixel for fingerprint sensor | EP 2257454.5 JP 2002-320318 |
| 01-B-097 | 09/397,549 | Pending | Improved sensing element arrangement for a fingerprint sensor | EP 2257810.8 JP 2002-344328 |
| 01-C-023 | 09/343,537 | Pending | A solution & methodology for detecting surface damage on capacitive sensor integrated circuit | EP 02255633.6 JP 2002-252413 |
| 01-C-115 | 10/335,587 | Pending | Imaging system with locator bar for accurate fingerprint recognition | |
| 01-C-116 | 10/335,586 | Pending | Imaging system with guide for accurate fingerprint recognition | |
| 01-C-127 | 10/000,174 | Pending | Capacitive fingerprint sensor with protective coating containing a conductive suspension | EP 02257814.0 2002-350078 |
| 01-YD-093C1 | 09/681,655 | Pending | Protective Enclosure for Sensor Devices | EP 9953102.3 PCT US99/23473 |
| 01-B-137 | | Open | System of improvement to finger-print recognition algorithm | |
| 01-B-141 | | Open | Technique to identify real finger vs an artificially made one | |
| 01-C-129 | | Open | Mechanical/procedural solution to the wet finger problem in biometric sensors | |
| 01-C-130 | | Open | Apparatus & methodology to produce, in a compact device, an unspoofable biometric sensor with high match rates | |
| 01-C-131 | | Open | Method & apparatus to increase the probability of correct fingerprint matching while eliminating spoofing | |



Status Request Letter



PATENT APPLICATION
Attorney Docket No. 99-B-156

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted via facsimile to the United States Patent and Trademark Office on May 3, 2006.

Typed or printed name of person signing this certificate
Jonathan A. Small

Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------|---|------------------------|
| Inventor(s): Bhusan Gupta |) | Confirmation no.: 6718 |
| Appl. No. : 09/475,686 |) | TC/A.U. : 2632 |
| Filed: December 30, 1999 |) | Examiner: V.T. Trieu |

Title: Command Interface Using Fingerprint Sensor Input System

Via Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Status Request Letter

Sir:

The above-caption patent application was filed by a predecessor law firm for applicant. When taking over this case, the file provided by the prior law firm includes records of the filing of a petition filed on January 15, 2003, to revive this case as unintentionally abandoned. However, the files contain no return postcard nor further correspondence either to or from the Patent Office with regard to the status of this case. Accordingly, the undersigned requests that the Patent Office provide any information available as to the status of the present application at its earliest convenience.

Respectfully submitted,

Jonathan A. Small
Attorney for Applicant
Registration No. 32,631
Telephone: 650-941-4470

343 Second St., Suite F
Los Altos, California
Date: May 3, 2006